

Declaration Submitted with initial filing
 Declaration Submitted after initial filing

Attorney Docket No. S-020211US

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named sole inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BIOPSY/ACCESS TOOL WITH INTEGRATED BIOPSY DEVICE AND CANNULA AND USE THEREOF

the specification of which is attached hereto unless the following box is checked:

the specification was filed on _____ as United States Application No. or PCT International Patent Application Number _____ and, if applicable, was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge the duty to disclose information which is known by me to be *material to patentability* as defined in Title 37, Code of Federal Regulations § 1.56.

Under Title 35, United States Code, § 119(a)-(d) or § 365(b), I hereby claim foreign priority benefits of any **foreign application(s)** for patent or inventor's certificate or under Title 35, United States Code, § 365(a) of any PCT International application which designated at least one country other than the United States, which are listed below, and have also identified below any foreign application for patent or inventor's certificate, or of any International applications having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION NO.(S)	COUNTRY	FILING DATE	PRIORITY CLAIMED

Under Title 35, United States Code, § 119(e), I hereby claim the benefit of priority of any **United States provisional patent applications** listed below:

PROVISIONAL APPLICATION NO(S)	FILING DATE

Under Title 35, United States Code, § 120, I hereby claim the benefit of priority of any **United States patent application(s)** or under Title 35, United States Code, § 365(c) of any PCT International application designating the United States, which are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International applications(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, and I acknowledge the duty to disclose information which is known by me to be *material to patentability* as defined in Title 37, Code of Federal Regulations, § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application:

PARENT APPLICATION NO(S)	FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
10/017,770	October 30, 2001	Pending

I hereby appoint as my attorney(s), with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen Faciszewski, Registration No. 36,131.

Direct all correspondence to M331 Staadt, Marshfield, Wisconsin, 54449, USA. Address telephone communications to Stephen Faciszewski at (715) 389-2619, Facsimile (715) 389-2619.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor <i>Tom Faciszewski, M.D.</i>	Signature of Sole Inventor 	Date 2/11/02
Residence Address <i>M331 Staadt, Marshfield, Wisconsin, 54449, USA</i>	Country of Citizenship <i>United States of America</i>	
Post Office Address <i>Same as above</i>		